

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED AMENDMENTS TO REMOVE NON-UTILIZED LAND USE DESIGNATIONS: **00-56 COM 1 (WATERFORD CROSSING MUPD)**, MODIFYING PAGE 56 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 7.47 ACRES GENERALLY LOCATED ON THE SOUTHWEST CORNER OF OKEECHOBEE BOULEVARD AND JOG ROAD FROM COMMERCIAL HIGH, WITH AN UNDERLYING INDUSTRIAL LAND USE DESIGNATION (CH/IND) TO COMMERCIAL HIGH (CH); **00-56 COM 2 (PALM BEACH ACURA)**, MODIFYING PAGE 56 OF THE FLUA CHANGING A PARCEL OF LAND APPROXIMATELY 10.44 ACRES GENERALLY LOCATED ON THE SOUTH SIDE OF OKEECHOBEE BOULEVARD AND APPROXIMATELY 530 FEET WEST OF JOG ROAD FROM COMMERCIAL HIGH, WITH AN UNDERLYING INDUSTRIAL LAND USE DESIGNATION (CH/IND) TO COMMERCIAL HIGH (CH); **00-64 CHX 1 (BRIGHTON SUMMIT)**, MODIFYING PAGE 64 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 12.31 ACRES GENERALLY LOCATED ON THE NORTH SIDE OF SUMMIT BOULEVARD AND APPROXIMATELY 850 FEET EAST OF MILITARY TRAIL FROM COMMERCIAL, WITH AN UNDERLYING 8 UNITS PER ACRE (C/8) WITH CROSS-HATCHING TO HIGH RESIDENTIAL, 8 UNITS PER ACRE (HR-8); **00-94 COM 1 (HUNTERS COURT)**, MODIFYING PAGE 94 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 11.52 ACRES GENERALLY LOCATED ON THE NORTH SIDE OF COCONUT LANE AND APPROXIMATELY 665 FEET EAST OF MILITARY TRAIL FROM COMMERCIAL, WITH AN UNDERLYING 5 UNITS PER ACRE (C/5) TO MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5); **00-99 RES 1 (ENCLAVE PUD)**, MODIFYING PAGE 99 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 20.24 ACRES GENERALLY LOCATED ON THE SOUTH SIDE OF ATLANTIC AVENUE, EAST OF THE LWDD E-3 CANAL AND APPROXIMATELY 2000 FEET WEST OF MILITARY TRAIL FROM INSTITUTIONAL, WITH AN UNDERLYING 12 UNITS PER ACRE (INST/12) TO HIGH RESIDENTIAL, 12 UNITS PER ACRE (HR-12) ON 18.76 ACRES (PARCEL A) AND FROM COMMERCIAL HIGH, WITH AN UNDERLYING 5 UNITS PER ACRE (CH/5) TO MEDIUM RESIDENTIAL, 5 UNITS PER ACRE (MR-5) ON 1.48 ACRES (PARCEL B); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have

1 initiated amendments to several elements of the Comprehensive Plan in
2 order to promote the health, safety and welfare of the public of Palm
3 Beach County; and

4 **WHEREAS**, the Palm Beach County Local Planning Agency conducted its
5 public hearings on June 9 and 16, 2000 to review the proposed
6 amendments to the Palm Beach County Comprehensive Plan and made
7 recommendations regarding the proposed amendments to the Palm Beach
8 County Board of County Commissioners pursuant to Chapter 163, Part II,
9 Florida Statutes; and

10 **WHEREAS**, the Palm Beach County Board of County Commissioners, as
11 the governing body of Palm Beach County, conducted a public hearing
12 pursuant to Chapter 163, Part II, Florida Statutes, on July 12, 2000
13 to review the recommendations of the Local Planning Agency, whereupon
14 the Board of County Commissioners authorized transmittal of proposed
15 amendments to the Department of Community Affairs for review and
16 comment pursuant to Chapter 163, Part II, Florida Statutes; and

17 **WHEREAS**, Palm Beach County received on October 4, 2000 the
18 Department of Community Affairs "Objections, Recommendations, and
19 Comments Report," dated September 29, 2000 which was the Department's
20 written review of the proposed Comprehensive Plan amendments; and

21 **WHEREAS**, the written comments submitted by the Department of
22 Community Affairs contained no objections to the amendments contained
23 in this ordinance;

24 **WHEREAS**, on December 6, 2000 the Palm Beach County Board of County
25 Commissioners held a public hearing to review the written comments
26 submitted by the Department of Community Affairs and to consider
27 adoption of the amendments; and

28 **WHEREAS**, the Palm Beach County Board of County Commissioners has
29 determined that the amendments comply with all requirements of the
30 Local Government Comprehensive Planning and Land Development
31 Regulations Act.

32 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
33 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

1 Part I. Amendments to the Future Land Use Atlas of the Land Use
2 Element of the 1989 Comprehensive Plan

3 The following amendments to the Land Use Element's Future Land Use
4 Atlas are hereby adopted and attached to this Ordinance:

5 A. Future Land Use Atlas page 56 is amended as follows:

6 Application No.: 00-56 COM 1 (Waterford Crossing MUPD)
7 Amendment: From Commercial High, with an underlying
8 Industrial land use designation (CH/IND) to
9 Commercial High (CH);
10 General Location: Southwest corner of Okeechobee Boulevard and
11 Jog Road;
12 Size: Approximately 7.47 acres;

13 B. Future Land Use Atlas page 56 is amended as follows:

14 Application No.: 00-56 COM 2 (Palm Beach Acura),
15 Amendment: From Commercial High, with an underlying
16 Industrial land use designation (CH/IND) to
17 Commercial High (CH);
18 General Location: South side of Okeechobee Boulevard and
19 approximately 530 feet west of Jog Road;
20 Size: Approximately 10.44 acres;

21 C. Future Land Use Atlas page 64 is amended as follows:

22 Application No.: 00-64 CHX 1 (Brighton Summit),
23 Amendment: From Commercial, with an underlying 8 units
24 per acre (C/8) with cross-hatching to High
25 Residential, 8 units per acre (HR-8);
26 General Location: North side of Summit Boulevard and
27 approximately 850 feet east of Military
28 Trail;
29 Size: Approximately 12.31 acres;

30 D. Future Land Use Atlas page 94 is amended as follows:

31 Application No.: 00-94 COM 1 (Hunters Court)
32 Amendment: From Commercial, with an underlying 5 units
33 per acre (C/5) to Medium Residential, 5

units per acre (MR-5);

General Location: North side of Coconut Lane and approximately
665 feet east of Military Trail;

Size: Approximately 11.52 acres;

E. Future Land Use Atlas page 99 is amended as follows:

Application No.: 00-99 RES 1 (Enclave PUD)

Amendment: From Institutional, with an Underlying 12
units per acre (INST/12) to High
Residential, 12 units per acre (HR-12) on
18.76 acres (Parcel A) and from Commercial
High, with an underlying 5 units per acre
(CH/5) to Medium Residential, 5 units per
acre (MR-5) on 1.48 acres (Parcel B);

General Location: South side of Atlantic Avenue, east of the
LWDD E-3 Canal and approximately 2000 feet
west of Military Trail;

Size: Approximately 20.24 acres.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area
of Palm Beach County in conflict with any provision of this ordinance
are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of
this Ordinance is for any reason held by the Court to be
unconstitutional, inoperative or void, such holding shall not affect
the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part
of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
Ordinance may be renumbered or relettered to accomplish such, and the
word "ordinance" may be changed to "section," "article," or any other
appropriate word.

Part V. Effective Date

1 The effective date of this plan amendment shall be the date a
2 final order is issued by the Department of Community Affairs or
3 Administration Commission finding the amendment in compliance in
4 accordance with Section 163.3184, Florida Statutes, whichever occurs
5 earlier. No development orders, development permits, or land uses
6 dependent on this amendment may be issued or commence before it has
7 become effective. If a final order of noncompliance is issued by the
8 Administration Commission, this amendment may nevertheless be made
9 effective by adoption of a resolution affirming its effective status,
10 a copy of which resolutions shall be sent to the Department of
11 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard
12 Tallahassee, Florida 32399-2100.

13 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
14 Beach County, on the 6 day of December, 2000.

15 ATTEST:
16 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By W. J. [Signature] Chair

17 Joan Harvey
18 Deputy Clerk

19 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

20 [Signature]
21 COUNTY ATTORNEY

22 Filed with the Department of State on the 12th day
23 of December, 2000.

24 T:\PLANNING\AMEND\00-2\Admin\BCCAdopt\Ordinances\non-utilized.wpd

EXHIBIT 1

A. Future Land Use Atlas page 56 is amended as follows:

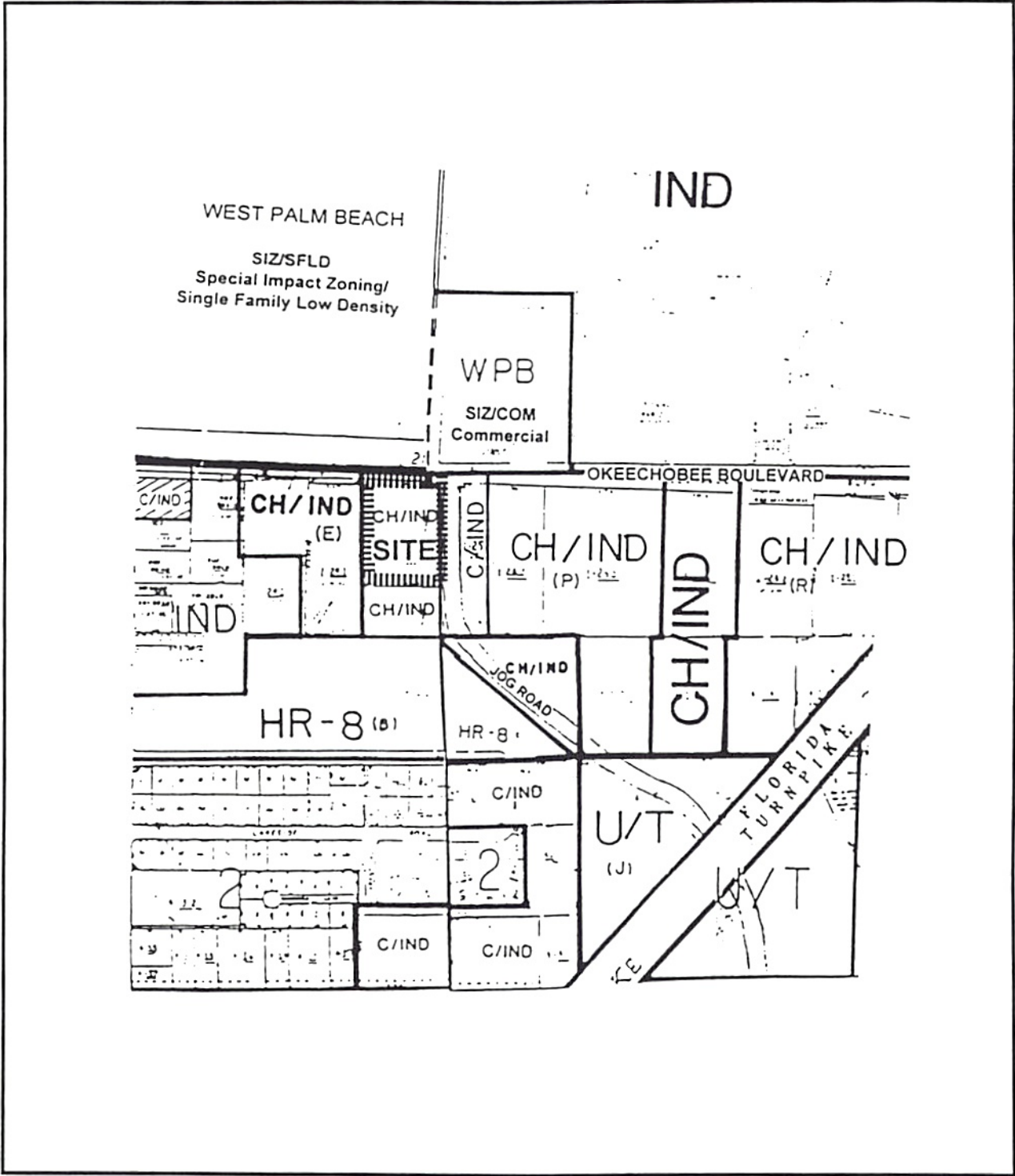
Amendment No.: 00-56 COM 1 (Waterford Crossing MUPD)

Amendment: From Commercial High, with an underlying Industrial land use designation (CH/IND) to Commercial High (CH).

Location: Southwest corner of Okeechobee Boulevard and Jog Road.

Size: Approximately 7.47 acres

Property No.: 00-42-43-27-25-000-0010
00-42-43-27-25-000-0020
00-42-43-27-25-000-0030
00-42-43-27-25-000-0040
00-42-43-27-25-000-0050



B. Future Land Use Atlas page 56 is amended as follows:

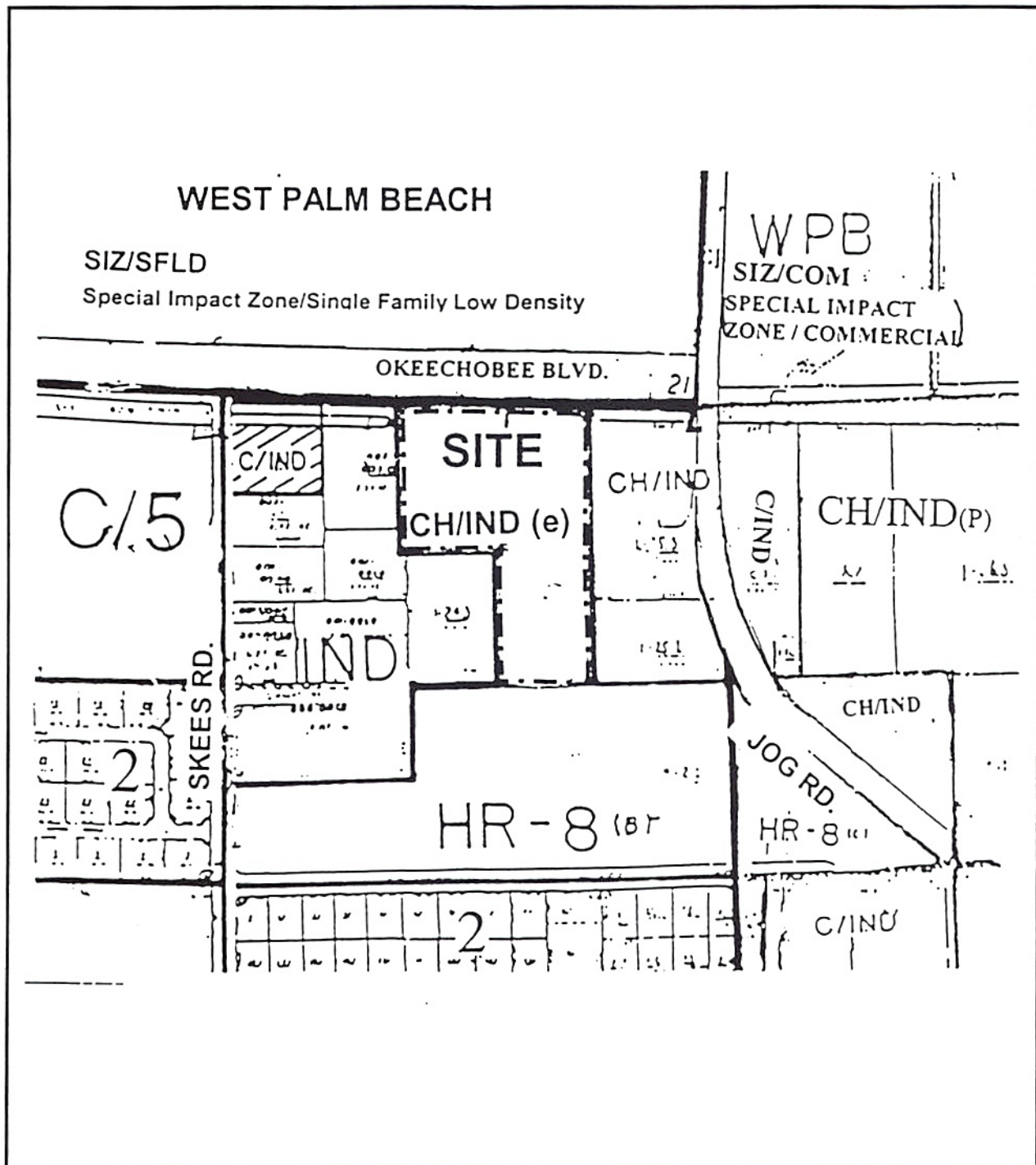
Amendment No.: 00-56 COM 2 (Palm Beach Acura)

Amendment: From Commercial High, with an underlying Industrial land use designation (CH/IND) to Commercial High (CH).

Location: South side of Okeechobee Boulevard, about 530 west of Jog Road.

Size: Approximately 10.44 acres

Property No.: 00-42-43-27-03-001-0241
00-42-43-27-03-001-0242



C. Future Land Use Atlas page 64 is amended as follows:

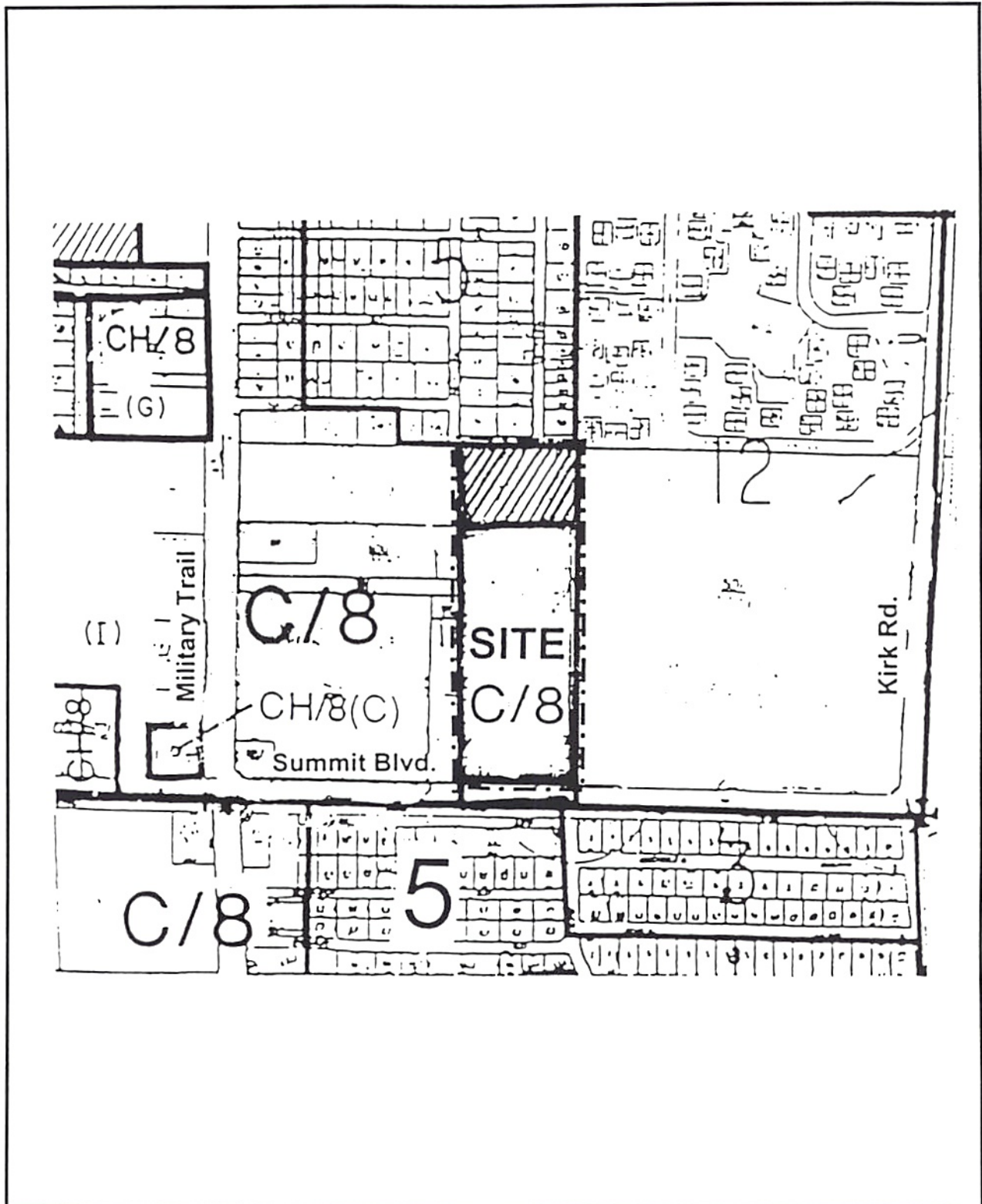
Amendment No.: 00-64 CHX 1 (Brighton Summit)

Amendment: From Commercial, with an underlying 8 units per acre (C/8) with cross-hatching to High Residential, 8 units per acre (HR-8)

Location: North side of Summit Blvd., approximately 850 feet from Military Trail

Size: Approximately 12.31 acres

Property No.: 00-42-44-01-00-000-5030



D. Future Land Use Atlas page 94 is amended as follows:

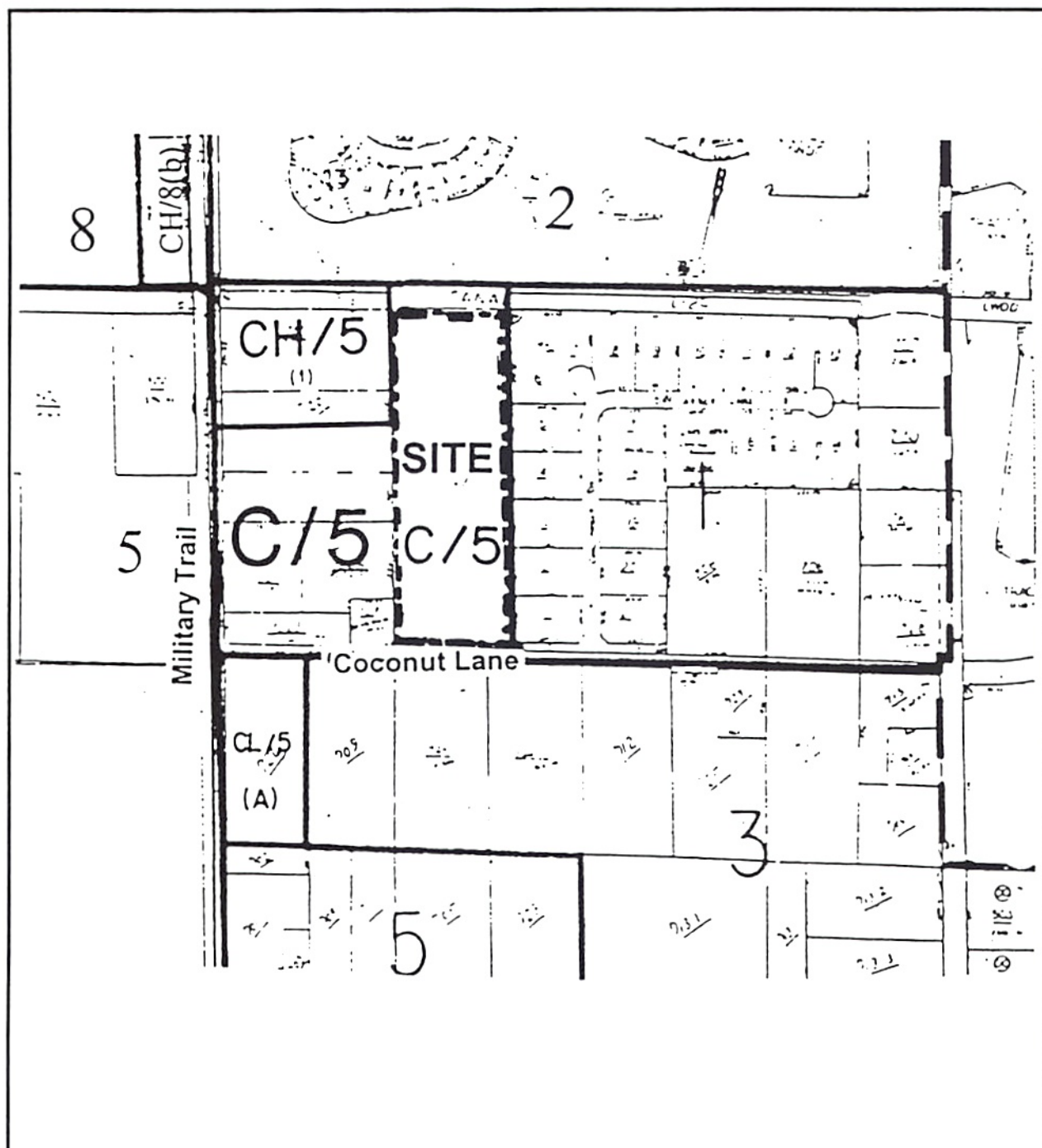
Amendment No.: 00-94 COM 1 (Hunters Court)

Amendment: From Commercial, with an underlying 5 units per acre (C/5) to Medium Residential, 5 units per acre (MR-5)

Location: North side of Coconut Lane, approximately 665 feet east of Military Trail.

Size: Approximately 11.52 acres

Property No.: 00-42-46-01-00-000-7390



E. Future Land Use Atlas page 99 is amended as follows:

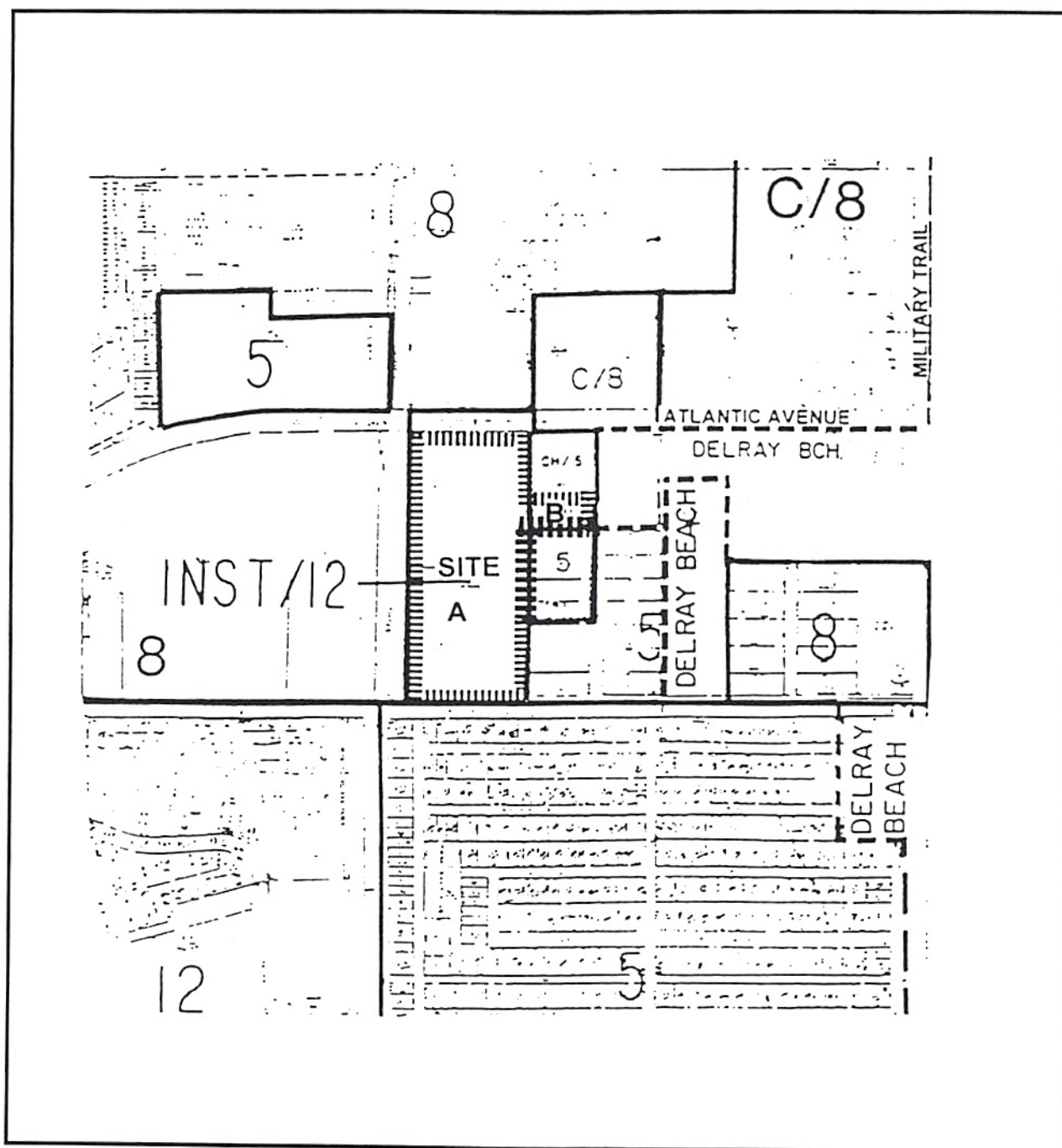
Amendment No.: 00-99 RES 1 (Enclave PUD)

Amendment: From Institutional, with an Underlying 12 units per acre (INST/12) to High Residential, 12 units per acre (HR-12) on 18.76 acres (Parcel A); and
From Commercial High, with an underlying 5 units per acre (CH/5) to Medium Residential, 5 units per acre (MR-5) on 1.48 acres (Parcel B);

Location: South side of Atlantic Avenue, directly east of the LWDD E-3 Canal, and approx. 2000 feet west of Military Trail

Size: Approximately 20.24 acres

Property No.: 00-42-46-23 (assigned to The Enclave PUD)



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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on December 6, 2000
DATED at West Palm Beach, FL on 12/19/00
DOROTHY H. WILKEN, Clerk
By: W. Lane Brown D.C.